

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-17 are currently being prosecuted. The Examiner is respectfully requested to reconsider his restriction requirement and election of species requirement in view of the amendments and remarks as set forth hereinbelow.

ELECTION OF CLAIMS

The Examiner has set forth a restriction requirement with regard to claims 1-15. The grouping of the claims is set forth as follows:

GROUP	CLAIMS	CLASSIFICATION
I	1-6, and 11-17	Class 280, Subclass 124.128
II	7-10	Class 188, Subclass 284

In addition, the Examiner has set forth patently distinct species as follows:

Species 1: represented by FIG. 6

Species 2: represented by FIG. 7

Species 3: represented by FIG. 8.

In order to be responsive to the Examiner's restriction requirement and the election of species requirement, the Applicant has elected Group I, Species 1 set forth in claims 1-6 and 11-17 for initial examination. However, it is respectfully submitted that the restriction requirement is improper in view of the fact that no serious burden is presented to the Examiner to consider all of the claims in a single application.

In addition to the above reasons to consider all of the claims in a single application, as set forth in Section 803 of the MPEP, the Examiner must examine an application on the merits if the examination of the entire application can be made without serious burden. Two criteria are identified for proper requirement for restriction:

1. The inventions must be independent or distinct as claimed; and
2. There must be a serious burden on the Examiner if the restriction is not required.

Applicant respectfully submits that a serious burden has not been placed on the Examiner to consider all of the claims in a single application. In order to be responsive to the Examiner's restriction requirement, claims 1-8 have been initially elected. The Examiner is respectfully requested to reconsider his restriction requirement and election of species requirement and act on all of the claims in the present application. If the Examiner does persist in his restriction requirement, Applicant reserve the right to file a divisional application directed to claims 7-10 at a later date if he so desires.

*Application No: 10/776,525
Reply dated January 16, 2007
Reply to Restriction Requirement dated September 8, 2006

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Art Unit: 3616
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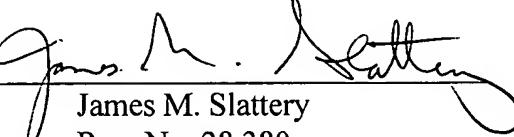
Favorable action on the present application is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (Direct Line).

Please charge any fees or credit any overpayment pursuant to 37 CFR 1.16 or 1.17 to Deposit Account No. 02-2448.

Respectfully submitted,

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